

### **Remarks**

The present response is to the Office Action mailed in the above-referenced case on 02/11/2008, and to the notice mailed 08/21/2008 that the first response to that action was not fully responsive. Claims 13, 15-20, and 22 are herein amended, and claim 14 is canceled.

#### **General and specific comments:**

In reviewing the present and previous actions and the examiner's comments, as well as the specific claim language of the broadest claim, that being claim 13, it has become clear to the applicant that the present distance on the issues on the merits between the examiner and the applicant is due primarily to a somewhat vague limitation in the claim construed broadly by the examiner. The claim was meant to recite a system wherein a user, using an Internet-enabled appliance like a home computer or a hand-held computer, accesses a first site in the Internet (that being the first server node in the unamended claim), and the first site is software enhanced to provide an interactive interface whereby the user may select, view and pay itemized bills. A second site, connected (by the Internet) to the first site, follows user-provided instructions and authorization to repeatedly visit other sites subscribed to by the user, such as bank sites, utility sites, department store sites, credit card sites, and the like, and mines user data at those sites, providing the data to the first site to keep the first site updated and current as to what bills the user owes, etc.

The examiner's comment and reasoning in Section 10 of the action mailed on 05/07/2007, to which the examiner now alleges the applicant has not yet made an adequate reply, specifically: "A first sever node connected to the network. The server node providing a service-access-point for accessing users (reads on either the persons own computer, their modem that is accessing the internet OR the Internet Service Provider server used by the customer to access the internet);" makes this difference quite clear. By this interpretation the intended architecture and functionality of claim 13 is

fundamentally changed to read on systems in the art, such as Koling, wherein a user accesses an Internet site and pays bills.

Applicant has always meant the unamended language of claim 13: “a first server node connected to a wide-area network, the first server node providing a service-access-point for a user...” to mean that there was a user appliance accessing the first server node, which is an Internet site. The applicant is clear that this language is not explicit and clear, and does not convey the unambiguous meaning that the applicant intended.

Therefore applicant has amended claim 13, and depended claims as needed to be compatible with new language, to correct this possible ambiguity.

Claim 13 as herein amended now recites:

13. (Currently amended) An interactive bill-payment system, comprising:

- an Internet-connected computerized appliance providing access to Internet sites for a user;

- a first Internet site accessible by the computerized appliance comprising bill-payment software providing an interactive interface enabling the user to select, view and pay itemized bills; and

- a second Internet site accessible to the first Internet site, the second Internet site providing automated navigation to billing sources subscribed to by the user, following pre-programmed instructions provided by the user, collecting itemized bills and bill-related data, and providing same to the first server node.

In support the applicant respectfully refers the examiner to Fig. 16 of the as-filed patent application, which illustrates the architecture of the present invention, showing a user appliance 283 with Internet access, a first server 297 in the Internet, a second server 295 in the Internet, and servers 299, 301 and 303 being servers of enterprises to which a user might subscribe and where bill-payment data for the user might be stored.

The language which the examiner refers in applicant's background section, "...many people now do their banking, stock, trading, and so forth from the comfort of their own homes via internet access", refers to the sort of art produced in the examiner's search, such as Kolling, wherein a consumer receives billing info directly from participating billers, and the consumer interacts with his/her own bank to pay the bills. There is nothing in Kolling that even suggests a separate data-mining tool (our second server, now second Internet site) which mines data from user-subscribed sources to keep a first site up to date on ITEMIZED bills (in Kolling there is no itemization, only an owed amount and a reference number).

As to the examiner's application of *In re Venner*, *In re Rundell* and *In re Wolfe* to urge that the present invention is somehow not really an invention, the applicant offers:

*In re Venner*, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958) Appellant argued that claims to a permanent mold casting apparatus for molding trunk pistons were allowable over the prior art because the claimed invention combined "old permanent-mold structures together with a timer and solenoid which automatically actuates the known pressure valve system to release the inner core after a predetermined time has elapsed." The court held that broadly providing an automatic or mechanical means to replace a manual activity which accomplished the same result is not sufficient to distinguish over the prior art.).

Applicant: This case applied to a specific situation in which a solenoid was used to activate a pressure valve system which was previously activated manually. This is hardly broadly applicable to automated Internet implemented data-mining activities that would require herculean human activity to accomplish manually.

*In re Rundell*, 18 CCPA 1290, 48 F.2d 958, USPQ 220[, 221] "It is well settled that it is not "invention" to broadly provide a mechanical or automatic means to replace manual activity which has accomplished the same result. ["Appellant argues that his rejected claims rest upon an automatic mechanism. The mere statement that a device is to be operated automatically instead of by hand, without a claim specifying any particular automatic mechanism, is not the statement of an invention.

Applicant: This case was decided on the basis that the applicant claimed an “automated” mechanism, but did not recite any specification of the automated mechanism. This decision went to the use of “automated” without any recitation of the means of the automation, and is not applicable in the present case, which specifies a number of limitations of the nature of the “mechanism” that does the data mining.

In re Wolfe, 251 F.2d 854, 855, 116 USPQ 443, 444 (CCPA 1958) "It would seem scarcely necessary to point out that merely making a two piece handle in one piece is not patentable invention because it is an obvious thing to do if deemed desirable"

Applicant: This case involved characterization of a massage device for ‘dental’ use, as distinguished from use on other parts of the body, and it was held that that was not a patentable distinction since the apparatus claims pointed to no structural difference.

Applicant urges that the use of the case law in the three specific cases relied upon seems applicable only because the examiner chose to pick a statement out of context in each decision, rather than provide the decision in context. It appears that all three cases involved mechanical devices, not related in any way to computerized Internet architecture, and generally refer to futility of relying on vague claim language without reciting specific limitations. The applicant in this case is reciting very specific limitations in the claims, which the examiner admits provides significant benefit, and the applicant believes the case should hinge on whether the art would fairly suggest these limitations to a skilled artisan at the time of the invention, which the applicant firmly believes is not the case here.

Further, the examiner resorts in more than one instance to statements of the sort that “...the applicant seems to intend to claim...” The claim is the claim, and has been amended to be even more clear and specific, and the applicant urges that the art be applied directly to the claim language rather than to speculation about what the applicant seems to intend to claim.

Specific to the action mailed 02/11/2008:

#### **Examiner’s Response to Arguments**

3. It is not seen wherein applicant responded to the Examiners contentions set forth in section 4 of the previous Office action mailed 10/12/2007, which in turn directs attention to section 10 of the previous Office action mailed 05/7/2007. Applicant's failure to respond to the contentions of said section 4 is considered supporting the Examiners contentions that the instant invention is indeed obvious when considering the combination of APA, case law and/or Kolling. Again as set forth in said section 4:

"If applicant is of the opinion that the APA does not set forth aggregation of all of an individual's bill paying requirements, then resort may be had to the teachings of Kolling to show that it is known in the bill pay art to provide a system that is capable of interfacing with all of a person's billing needs. See for example, the abstract, figures and col. 1, lines 14- 37, col. 2 lines 63 through col. 4 line 18, col. 11 line5 through col. 13, lines 15, etc.

At the time of the invention it would have been obvious to one of ordinary skill in the art to apply the teachings of Kolling to APA in order to aggregate all of a person's billing requirements into one location for the purpose and benefit of convenience, to both the person and the billers in standardizing the method in which bills are paid for the additional benefit of saving the billers money by minimizing failures of payment."

Accordingly, the rejection of section 10 of the previous Office action mailed 05/07/2007 is sustained and incorporated herein (as set forth below in the corresponding rejection under 35 USC 103) as further explained in section 4 of the previous Office action mailed 10/12/2007 and expounded upon immediately above.

#### **Applicant's response**

The examiner's remarks in the "Response to Arguments" section are directed to whether or not the claimed invention provides a certain result, that being "aggregation of all of an individual's bill paying requirements". The limitations of claim 13 do not include any language of "aggregation of all of an individual's bill paying requirements", and that is the

examiner's language, not the language of the claim. The claim language was specific, and now is more narrow and specific, and the applicant never claimed "aggregation of all of an individual's bill paying requirements", which is a nebulous and vague specification.

### **Merit rejections under 35 U.S.C. 103**

6. Claims 13-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of Kolling for the reasons set forth in section 3 above, which in directs attention to section 4 of the previous Office action mailed 10/12/2007, which in turn directs attention to section 10 of the previous Office action mailed 05/07/2007.

It is not seen wherein applicant has overcome the arguments already of record.

### **Applicant's response**

Applicant has herein amended claim 13 to clarify the architecture, interoperability and function of the invention. The heart of the rejection in Section 10 referred to by the examiner was that the first node reads on a user's computer or an ISP. This misunderstanding (admittedly vague in the unamended claim) has been corrected by amendment, and it should be clear now that there are three nodes, one being the user's appliance connected to the Internet, another being the first Internet site providing interactivity for a user to select, view and pay ITEMIZED bills, and a second Internet site that mines bill-pay data specific to a user from sites subscribed to by the user, following navigation instructions and authorization of the user.

### **Examiner's rejection**

7. Claims 13-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over DCU Bill Payer in view of Horvitz "Panel: Innovations in Money and Payment Preserving Competition in Electronic Home Banking"

Regarding claim **13**, DCU sets forth an interactive bill-payment system, comprising:

A first server node connected to a wide area network, the first server node providing a service-access-point for accessing users (See, for example, page 1, the first sentence of the

first paragraph and 4<sup>th</sup> paragraph, first sentence, "Bill Payer Screen in Dial-Up PC Branch");

A bill-payment software executing on the first server node, providing an interactive interface where the user may pay selected itemized bills.

### **Applicant's response**

In view of the present amendment to claim 13, DCU in view of Horvitz does not appear to expressly disclose a user node and a first and a second Internet site with the additional limitations as now claimed.

### **Examiner's rejection**

Claims 13-23 are rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent 5,903,881 to Schrader et al. (Schrader) in view of MPEP section 2144.04 as cited immediately below.

## **V. MAKING PORTABLE, INTEGRAL, SEPARABLE, ADJUSTABLE, OR CONTINUOUS**

### **C. Making Separable**

*In re Dulberg*, 289 F.2d 522, 523, 129 USPQ 348, 349 (CCPA 1961) (The claimed structure, a lipstick holder with a removable cap, was fully met by the prior art except that in the prior art the cap is "press fitted" and therefore not manually removable. The court held that "if it were considered desirable for any reason to obtain access to the end of [the prior art's] holder to which the cap is applied, it would be obvious to make the cap removable for that purpose.").

## **VI. REVERSAL, DUPLICATION, OR REARRANGEMENT OF PARTS**

### **C. Rearrangement of Parts**

*In re Japikse*, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950) (Claims to a hydraulic power press which read on the prior art except with regard to the position of the starting switch were held

unpatentable because shifting the position of the starting switch would not have modified the operation of the device.); *In re Kuhle*, 526 F.2d 553, 188 USPQ 7 (CCPA 1975) (the particular placement of a contact in a conductivity measuring device was held to be an obvious matter of design choice). However, "The mere fact that a worker in the art could rearrange the parts of the reference device to meet the terms of the claims on appeal is not by itself sufficient to support a finding of obviousness. The prior art must provide a motivation or reason for the worker in the art, without the benefit of appellant's specification, to make the necessary changes in the reference device." *Ex parte Chicago Rawhide Mfg. Co.*, 223 USPQ 351, 353 (Bd. Pat. App. & Inter. 1984).

Per claim 13 Schrader sets forth an interactive bill-payment system comprising:

- a first server node connected to a wide-area network, the first server node providing a service-access-point for a user (See for example, the Abstract, Col. 5 line 58-Col. 6 line 67, Col. 13, lines 45-50, etc.)

- a bill-payment software executing on the first server node, providing an interactive interface where the user may view and pay selected itemized bills (See for example the Abstract, The Figures, Col. 13, lines 7+, etc.)

### **Applicant's Response**

Applicant points out that Schrader fails to teach bill pay software enabling the user to access an interactive interface where the user may view and pay selected itemized bills. All of the figures in Schrader show vendor payment windows, not itemized bills to be paid, as claimed. The Abstract of Schrader is reproduced below:

"A software product, computer implemented method, and system provide an integrated user interface having three simultaneously displayed items of information, including a list of transaction instructions, a list of uncleared transactions, and a list of cleared transactions. The simultaneous display, and interaction between the lists, provides for integration of various tasks separately associated with personal finance software products and with online



banking products. Two account balances are also simultaneously displayed, a balance for cleared transactions, and a separate balance based on both cleared and uncleared transactions. The two balances provide the user with a complete view of the status of their account and available funds. The software product and system supports online bill payment, electronic funds transfer, and checkbook transactions, without requiring navigation through multiple, separate user interfaces for different modules of the product.”

Applicant cannot find a teaching or suggestion in the above Abstract teaching applicant’s claimed software displaying itemized bills. Applicant has read column 13 of Schrader and has failed to find a teaching of bill pay software on any server providing an interactive interface where the user may view and pay selected itemized bills. Applicant respectfully requests the Examiner please point out exactly where said software is taught in Schrader.

**Examiner continues...**

In contrast to the claimed invention, Schrader discloses that it is the software operating on the first node that is providing the automated navigation to the billing sources subscribed to by the user collecting itemized bills and bill related data, and presenting same to the software executing on the first server node.

Accordingly, Schrader does not appear to expressly disclose that it is a "second server" node connected to the network and accessible to the first server node providing the automated navigation to the billing sources subscribed to by the user collecting itemized bills and bill-related data, and presenting same to the software executing on the first server node.

Considering the teachings of MPEP 2144.04.V.C. Making separable, especially In re Dulberg, 129 USPQ 348, (CCPA 1961)

"It has been held that constructing a formerly integral structure in various elements involves only routine skill in the art"

At the time of the invention it would have been obvious to one of ordinary skill in the art to utilize not only a "second server" but any number of servers to provide automated navigation to the various financial accounts as such is nothing more than a separation of parts. Schrader discloses that the aggregation of the data is done by a first server. There is no novelty in merely separating the aggregation module from the first node and placing in on a second node when the end result remains the same. That is, the first node still has the information to process and display to the user. Again, it makes no difference how one of ordinary skill in the art could chop up the different modules of Schrader to function on any number of server nodes as long as the end result remains the same, i.e. a one stop shop for all the financial information a user desires to view.

Also, one must consider the teachings of MPEP 2144.04.VI.C. regarding the rearrangement of parts of Schrader. At the time of the invention it would have been obvious to one of ordinary skill in the art to rearrange which module gathers the financial data from the various accounts online. That is, it would have been obvious to place the account aggregation module on a second server that is located at a remote location with constant online connection for the benefits of having a server node online at all times that can access and update multiple accounts without the user having to be online to get said updates. Schrader teaches that the program must go online to retrieve current data for each account. Downloading information from multiple various sources can be time consuming. Accordingly for the benefit of saving time, it would have also been obvious to place the aggregation module on a second server. Schrader discloses that the aggregation of the data is done by a first server but again there is no novelty in merely rearranging where the aggregation module resides, merely that it exists and is performing its intended function, i.e. retrieve account information for any account the user desires. Again the end result remains the same, that is, the first node still has the information from all of the accounts.

If applicant is of the opinion that Schrader is only concerned with bank accounts and not applicable to the viewing and manipulation other financial accounts, then resort must be had to the "teachings" of Schrader teaches in Col. 5 lines 11-35

"As the foregoing discussion indicates, users of these various types of online banking products have to navigate between multiple different user interfaces to perform a single task. Usability research on users working with these types of products has shown that at each navigation step, there was high potential for error and confusion. Users are not always sure how information in one user interface screen is related to information in another screen, or when it is necessary to switch to another part of the product to proceed through a task.

The need for easy-to-use and efficient online banking software products and systems becomes even more pronounced when considering that different users have different needs, expectations, and abilities. Research has shown that there are two types of users of financial software products: Organizers and Transactors. Organizers specifically intend to use their financial software products to organize, categorize, and track their finances with precision and detailed accuracy. For these types of users, conventional software products that provide the ability to categorize transactions, produce complex reports of income and expenses, and the like are seen as useful tools." (Emphasis added)

Specifically "Organizers specifically intend to use their financial software products to organize, categorize, and track their finances with precision and detailed accuracy."

Finances can be defined as "The management of money, banking, investments, and credit."

Clearly Schrader can not only be considered as be directed towards online banking, but to the total management of ALL of a users finances. Accordingly, Schrader's invention is considered as applicable to access any and all financial accounts of a user. See for example, at least, Col. 8 lines 10-25.

**Applicant's response**

Applicant argues that the Examiner's statement that, "Schrader discloses that it is the software operating on the first node that is providing the automated navigation to the billing sources subscribed to by the user collecting itemized bills and bill related data, and presenting same to the software executing on the first server node." is pure conjecture and assumption. There is no such teaching in Schrader. Schrader specifically teaches that, "The application interface module 1403 enables the personal online finance application 304 to execute as a plug-in in various online environments such in America Online'TM, Netscape Communications Inc.'s Navigator'TM, and Microsoft Corp.'s Internet Explorer'TM. This module is implemented on a per environment basis. When invoked, this module initializes the rest of the personal online finance application 304 and on completion ensures its safe termination. The application interface module 1403 is a hidden window that transfers data from the user interface and the rest of the modules using a messaging architecture. This module transfers state information from the operating environment to the user interface module 1401, and to the other modules. This enables the application 304 to be used with a variety of different operating environments. (emphasis added) (col. 13, lines 45-60)

Applicant points out that this software teaching of Schrader is a messaging software specifically for state information for an operating environment, which the Examiner may not construe to mean "providing automated navigation to billing sources subscribed to by the user, collecting itemized bills and bill-related data, and providing same to the first server node."

Just as argued above, regarding DCU and Horvitz, Schrader also has been clearly shown to be absent of any teaching or suggestion of software navigating to billing sources subscribed to by the user for the purpose of obtaining itemized bills and serving them to an interactive bill paying window at a first server. Applicant does not need to address the MPEP reference

as Schrader fails to provide teaching of applicant's claimed invention on one server or component.

The Examiner states; "Schrader's invention is considered as applicable to access any and all financial accounts of a user. See for example, at least, Col. 8 lines 10-25. Applicant presents the cited portion below:

**"Display of Transaction Instructions**

The out box 167 contains zero or more transaction instructions 169 that are to be sent to a financial institution for processing. A transaction instruction 169 is a description of an action to be performed by a financial institution or other financial entity or a request for information from a financial institution. A financial institution may be the user's bank, a clearinghouse, or other institution which processes electronic transactions, transfers, or otherwise is involved in the handling of transaction instructions or user's accounts, payments, or fund transfers. Financial entities may include vendors, merchants, billing agencies, banks, brokerages, insurance companies, or the like. Generally, the out box 167 is used to show bill payments to various merchants and fund transfers between user selected accounts."

**Applicant points out that the entire teaching above relates to showing bill payment information and instruction, not actual itemized bills, as claimed.**

As claim 13 is patentable to the applicant over the art cited and applied by the Examiner, claims 14-23, all depended directly or indirectly from claim 13 are patentable at least as depended from a patentable claim, and rejections in the action specifically directed to one or more depended claims are moot.

**Supplemental**

Following is specific response to Paper mailed 08/21/2008 in the present case, alleging that the reply filed on 05/12/2008 is not fully responsive, because it appears the applicant has not

fully responded to the rejection formally set forth in section 10 of the Office Action mailed 05/07/2007. In an effort to be sure that the response to section 10 is complete, section 10 of the action mailed 05/07/2007 is reproduced in its entirety below, and a response is provided to each separate contention and allegation from that section:

**The examiner states:**

**10. Claims 13-23 are rejected over Applicant's Admitted Prior Art (APA) in view of U.S. Patent 5,920,847 to Kolling et al. (Kolling)**

Regarding claim13, APA sets forth an interactive bill-payment system for online management, viewing and payment on behalf of a user of itemized bills by proxy over a data-packet-network (page 2, lines 17-19 "many people now do their banking, stock, trading, and so forth from the comfort of their own homes via internet access"), comprising:

A first sever node connected to the network. The server node providing a service-access-point for accessing users (reads on either the persons own computer, their modem that is accessing the internet OR the Internet Service Provider server used by the customer to access the internet);

A second server node connected to the network and accessible to the first server node, the second server node providing automated navigation to data sources subscribed to by the user, data procurement and data aggregations on behalf of the accessing users (reads on the server the bank is connected to, or the actual bank computer which has the account (data source subscribed by the user) data procurement (required in order to update the account with an accurate balance) and data aggregations (reads on the accounting software that is continually updating the persons account with up to date account balance information));

A bill-payment software interface installed on the first server node, the interface accessible to the accessing users connected to the data-packet network, characterized in that users accessing the first server node from the remote computer nodes interact with

the bill payment interface for the purpose of viewing, managing and paying bills by proxy using the functions of the first and second server nodes.

("typically, a user, through subscription, has access to personalized and secure WEB pages ...." users "bookmark many WEB pages in a computer cache so that they may quickly find and access ... various services."

And , "it is generally known that much work related to finding WEB pages, logging in with passwords, and the like is required to successfully do business on the WEB"

It appears that applicant may be attempting to claim a system that combines ALL of an individuals"accounts, login passwords, bill pay subjects, etc. into one place. It is considered that APA does set forth an aggregation of all of the different WEB sites that an person must use in order to pay bills by, for example using the bookmark function on the web browser as set forth above.

Further, the individual brain stores the information required in order to locate the various bill payments required, web sites and passwords. The fact that applicant is trying to put all of the information in one place does not present a patentable invention because applicant is merely automating something that was already being done by hand. Admittedly there is great convenience in combining all of a persons assets and liabilities into one location (known in the art as a portfolio)

Resort may be had to case law to show that there is no patentability in doing such and further there is motivation to one of ordinary skill in the art to create such an invention simply for the benefit of convenience and making things easier and more convenient. Such is evidenced by items that surround us in our everyday living, take for example, automatic doors, escalators, moving sidewalks, microwave ovens, pop top soda cans, etc.

Resort may be had to case law to show that there is no novelty in simply automating a process previously done manually and/or combining a series of steps that were previously done individually.

See *In re Venner*, 120 USPQ 192 (CCPA 1958), *In re Smith*, 73 USPQ "If a new combination of old elements is to be patentable, the elements must cooperate in such manner as to produce a new, unobvious, and unexpected result. It must amount to an invention", *In re Rundell*, 9 USPQ 220 "It is not 'invention' to broadly provide a mechanical or automatic means to replace manual activity which has accomplished the same result", and *In re Wolfe*, 116 USPQ 443,444 (CCPA 4961)) "It would seem scarcely necessary to point out that merely making a two piece handle in one piece is not patentable invention because it is an obvious thing to do if deemed desirable." If applicant is of the opinion that the APA does not set forth aggregation of all of an individuals bill paying requirements, the resort may be had to the teachings of Kolling to show that it is known in the bill pay art to provide a system that is capable of interfacing with all of a person's billing needs. See for example, the abstract, figures and col. I, lines 14-37! col. 2 lines 63 through col. 4 line 18, col. I I line5 through col. 13, lines 15, etc.

At the time of the invention it would have been obvious to one of ordinary skill in the art to apply the teachings of Kolling to APA in order to aggregate all of a person's billing requirements into one location for the purpose and benefit of convenience, to both the person and the billers in standardizing the method in which bills are paid for the additional benefit of saving the billers money by minimizing failures of payment.

**Applicant's response:**

In the rejection the examiner states APA teaches "A first sever node connected to the network. The server node providing a service-access-point for accessing users (reads on either the person's own computer, their modem that is accessing the internet OR the Internet Service Provider server used by the customer to access the internet)". The first



node was never meant to be any of these, but an Internet site accessible to the user from a user's appliance. This has been clarified by amendment, and the rejection is moot by the amendment.

In Section 10 the examiner also states: "It appears that applicant may be attempting to claim a system that combines ALL of an individual's accounts, login passwords, bill pay subjects, etc. into one place. It is considered that APA does set forth an aggregation of all of the different WEB sites that a person must use in order to pay bills by, for example using the bookmark function on the web browser as set forth above.

In response applicant urges that the claim recites:

13. (Currently amended) An interactive bill-payment system, comprising:

- an Internet-connected computerized appliance providing access to Internet sites for a user;

- a first Internet site accessible by the computerized appliance comprising bill-payment software providing an interactive interface enabling the user to select, view and pay itemized bills; and

- a second Internet site accessible to the first Internet site, the second Internet site providing automated navigation to billing sources subscribed to by the user, following pre-programmed instructions provided by the user, collecting itemized bills and bill-related data, and providing same to the first server node.

The applicant respectfully requests that the examiner allow the claim or reject it based on art applied to the actual limitations recited in the claim, rather than an opinion of the examiner as to what the applicant seems to be claiming. The claim is the claim and speaks for itself.

As to the rest of the rejection of section 10 alluded to by the examiner, claim 13 as amended has been shown to be patentable by the specific limitations, interoperability and functions recited in the claim over the art cited and applied; therefore the depended

claims as rejected below, are patentable at least as depended from a patentable claim, and in view of the amendments made, the rejections as stated below for the depended claims are moot. It is not required or necessary that the applicant respond in detail to every rejection of a depended claim when the claim from which the depended claims depend has been shown to be patentable.

**Regarding claim 14**, APA clearly states that the data-packet-network is the Internet network (. . .via Internet access.. .Typically, a user.. . has access to.. .secure WEB pages)

**Regarding claim 15** APA inherently discloses that the first server node is a portal server providing personalized interfaces in hypertext markup language because "a user must connect to the Internet, go to his/her Book-marks and select an airline page". Bookmarks and Web pages are known to utilize hypertext markup language. Further resort may be had to U.S. Patent 6,078,907 to Lamm col. 2 lines 13-18 to show that the World Wide Web is a collection of networks linked together using files written in Hypertext Mark-up Language. Thus APA inherently uses and discloses such.

**Regarding claim 16** APA clearly sets forth that the data sources require a username and password for access to user bill information in, for example, page 2 lines 20-21.

**Regarding claim 17** APA clearly sets forth that the remote' computer nodes are personal computers with accessibility to the Internet in, for example, page 2 line 11.

**Regarding claims 18 and 19**, APA does not explicitly disclose that the remote computer nodes are cellular phones or hand-held computers with accessibility to the Internet, however Kolling sets forth in, for example, col. 12 lines 20-27 that it is known to utilize various forms of communication to access the network including cell phones, Portable Data Assistants (PDAs) (known in the art as hand-held computers) etc. At the time of the invention it would have been obvious to one of ordinary skill in the art to utilize a cell phone with access to the internet and to incorporate such in to APA for the benefit of, for

example, allowing bills to be paid from a remote location as such is no more in the use of common and well known methods of accessing the Internet.

**Regarding claim 20**, APA does not appear to specifically disclose that the second server node stores aggregated bill data on behalf of the user in a connected data repository held externally from the server. Due to the vagueness of this claim as set forth in a section above, the Examiner interprets this claim to mean that the second server, i.e. the bank, is storing aggregated bill data, i.e. the summation of the balance due on the account in a connected data repository, known in the art as a hard drive, external from the server, meaning at some other location. Official notice is taken in that it is old and well known in the computer server art to have backup hard drives located in remote locations with battery backups for the purpose of ensuring that accounting data is not lost due to power failure, corruption of data, hackers, worms, etc. Accordingly it would have been obvious to one of ordinary skill in the art to apply the teachings of good computer practices to the system set forth in the APA such that a backup copy of the information of an account is stored on a backup hard drive.

**Regarding claim 21**, APA discloses that the bill-payment software interface is linked to a plurality of secondary interfaces provided in the form of hypertext markup language in, for example, page 3, lines 5-8 "...the fact that they must bookmark many WEB pages in a computer cache". Cache is a memory location storing information, also reads on aggregation of information in one location, and since the bookmarks are for financial web sites related to bill paying then this also reads on aggregated bill data. Bookmarks are hypertext markup language and WEB pages contain hypertext markup language.

**Regarding claim 22**, APA inherently discloses that the management of the listed bills include at least viewing a full account of the bill, marking that the bill has been paid, deleting the bill, and receiving an alert associated with the bill otherwise the person would not be able to pay the bill because they would not be able to view it. If applicant is

of the opinion that APA does not set forth the specifics of this claim then resort may be had to Kolling col. 12 lines 28-t- "billers can specify certain data fields as being required and the bill payment system is programmed to return payment messages which contain insufficient data" wherein return payment messages read on the alert.

**Regarding claim 23**, APA inherently discloses obtaining advice regarding selected treatment of the bill includes system recommendations wherein it is understood that when a person accesses his bills to determine whether payment is required, the date of payment due is a recommendation by the billers system that if payment is not received then late charges, interest rate hikes, etc. may be occurred (system recommendation) and the advice reads on paying the bill.

### **Summary**

As all of the claims standing for examination have been shown to be patentable as amended and argued above over the art of record, applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this response, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,  
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